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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,409	02/21/2001	Hiroyuki Sato	862.C2122	5876

5514 7590 09/27/2004

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NEW YORK, NY 10112

EXAMINER

SINGH, SATWANT K

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 09/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,409

Applicant(s)

SATO, HIROYUKI

Examiner

Satwant K. Singh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-20 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 6, 7, 10, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano et al. (US 6,388,765) in view of Suzuki et al. (US 6,480,297).

3. Regarding Claim 1, Nagano et al teach a data processing apparatus comprising: input means for inputting data (user's input); creation means for creating a file on the basis of the data input by said input means (personal computers 2) (col. 2, lines 47-52), the file having a plurality of pages (page counter 36 is increased by one), and a page attribute and end information representing an end of data for each page (unique code) (col. 2, lines 47-52); transmission means for transmitting the file created by said creation means (transmitted to the printer device from each personal computer 2) (col. 2, lines 66-67 and col. 3, lines 1-2).;

Nagano et al fail to teach an addition means (insertion of the unique code) for, when file creation by said creation means is interrupted, adding end information at interrupt time, wherein when file creation by said creation means is interrupted, said transmission means transmits the file added by said addition means.

Suzuki et al teach an apparatus where file creation by said creation means is interrupted (when an interrupt request for the used of the image forming means 18 is

received through the host bridge 82, while a job command to image form a plurality of pages is executed, the executing command is temporarily stopped at the end of the concerned page) (col. 13, lines 53-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano with the teachings of Suzuki to add the unique code to the interrupted page being transmitted to the printer device from the personal computer to identify that page as being the last one being transmitted.

4. Regarding Claim 2, Nagano et al fail to teach an apparatus, wherein said input means inputs the data from a reader for reading an image on an original to generate data representing the image.

Suzuki et al teach an apparatus, wherein said input means inputs the data from a reader for reading an image (image reading means 11) on an original to generate data representing the image (in the image reading means 11, an image of the document is read and image data is obtained) (col. 5, lines 47-59).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano with the teachings of Suzuki to generate the image data by reading the original image and the added unique code created by the creation means.

5. Regarding Claim 4, Nagano et al fail to teach an apparatus, wherein said apparatus further comprises an operation section for inputting a manual instruction by a

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user and the interrupt is executed on the basis of an interrupt instruction from said operation section.

Suzuki et al teach an apparatus, wherein said apparatus further comprises an operation section for inputting a manual instruction by a user and the interrupt is executed on the basis of an interrupt instruction from said operation section (the host bridge 82 is connected to the data bus 28 and to the data bus 28, the personal computer communication substrate 27 which is connected to the personal computer 102 and the image data is sent from the PC) (col. 13, lines 66-67 and col. 14, lines 1-2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano with the teachings of Suzuki to input to allow for manual interrupt instruction by the user via the personal computer 102.

6. Claims 6 and 7 are rejected for the same reasons as claim 1.

7. Claims 10 and 17 are rejected for the same reason as claim 2.

8. Claims 15, 16, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano et al. (US 6,388,765) in view of Ota et al. (US 6,785,013).

9. Regarding Claim 15, Nagano et al teach an apparatus comprising: input means (user's input) for inputting data in units of pages (page counter 36 is increased by one), creation means for creating a file (personal computers 2) (col. 2, lines 47-52), the file having a page attribute and end information representing an end data for each page (unique code) (col. 2, lines 47-52); and transmission means for transmitting the data

created by said creation means (transmitted to the printer device from each personal computer 2) (col. 2, lines 66-67 and col. 3, lines 1-2).

Nagano et al fail to teach storage means for storing a plurality of data input by said input means; selection means for selecting a plurality of data from the plurality of data stored by said storage means; creation means for creating a file from the plurality of data selected by said selection means.

Ota et al teach an apparatus comprising; storage means for storing a plurality of data input by said input means (document image management server 30); selection means for selecting a plurality of data from the plurality of data stored by said storage means (video image data from documents to be copied are to be transferred to the capture controller) (col. 4, lines 35-54); creation means for creating a file from the plurality of data selected by said selection means (file mode) (col. 4, lines 35-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano with the teachings of Ota to create a file according to the file mode so certain documents can be stored in the document image management server 30.

10. Regarding Claim 16, Nagano et al fail to teach an apparatus, wherein said creation means creates a file according to an order selected by said selection means.

Ota et al teach an apparatus, wherein said creation means creates a file according to an order selected by said selection means (file mode) (col. 4, lines 35-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano with the teachings of

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Ota to create a file according to the file mode so certain documents can be stored in the document image management server 30.

11. Regarding Claim 18, Nagano et al fail to teach an apparatus, wherein said creation means creates a file with an M-TIFF or PDF format.

Ota et al teach an apparatus, wherein said creation means creates a file with an M-TIFF or PDF format (the TIF process 28 can generate data files in a tag image file format (TIFF)) (col. 8, lines 54-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano with the teaching of Ota to create a file with M-TIFF or PDF since that is the standard image format by adobe.

12. Claims 19 and 20 are rejected for the same reason as claim 15.

13. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano et al and Suzuki et al as applied to claim 1 above, and further in view of Ota et al (US 6, 785,013).

14. Regarding Claim 3, Nagano et al and Suzuki et al fail to teach an apparatus, wherein said creation means creates a file with an M-TIFF or PDF format.

Ota et al teach an apparatus, wherein said creation means creates a file with an M-TIFF or PDF format (the TIF process 28 can generate data files in a tag image file format (TIFF)) (col. 8, lines 54-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano and Suzuki with the

teaching of Ota to create a file with M-TIFF or PDF since that is the standard image format by adobe.

15. Regarding Claim 5, Nagano et al and Suzuki et al fail to teach an apparatus, wherein said transmission means transmits the data on the basis of a file transfer protocol.

Ota et al teach an apparatus, wherein said transmission means transmits the data on the basis of a file transfer protocol (the file transfer process FTR 29 connects to the document image management server with an FTP protocol) (col. 8, lines 63-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano and Suzuki with the teaching of Ota to use FTP protocol since such a protocol is a popular protocol for file transfer.

16. Claim 8, 9, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano et al. (US 6,388,765) in view of Ochi et al. (US RE37,272).

17. Regarding Claim 8, Nagano et al teach a data processing apparatus comprising: input means for inputting data (user's input); creation means for creating a file on the basis of the data input by said input means (personal computers 2) (col. 2, lines 47-52), the file having a plurality of pages (page counter 36 is increased by one), and a page attribute and end information representing an end of data for each page (unique code) (col. 2, lines 47-52); transmission means for transmitting the file created by said creation means (transmitted to the printer device from each personal computer 2) (col. 2, lines 66-67 and col. 3, lines 1-2).

Nagano et al fail to teach a division means for dividing, in units of pages, data to be transmitted by transmission means, wherein said division means adds a page attribute and end information to each of the divided data, like said creation means, and said transmission means sequentially transmits the data divided by said division means.

Ochi et al teach a division means for dividing, in units of pages, data to be transmitted by transmission means (image data is divided and recorded and outputted on two sheets) (col. 5, lines 25-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano with the teachings of Ochi to add the unique code to the divided data pages being transmitted to the printer device from the personal computer to identify that page as being the last one being transmitted.

18. Regarding Claim 9, Nagano et al fail to teach an apparatus, wherein said division means divides an amount of data when the data input by said input means exceeds a predetermined data amount.

Ochi et al teach an apparatus, wherein said division means divides an amount of data when the data input by said input means exceeds a predetermined data amount (image data received is larger than the quantity of the data which can be recorded) (col. 5, lines 25-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano with the teachings of Ochi to divide an amount of image data when the data input by said input means

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exceeds a predetermined data amount so the whole image is outputted on more than one page.

19. Claims 13 and 14 are rejected for the same reason as claim 8.

20. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano et al and Ochi et al as applied to claim 8 above, and further in view of Ota et al (US 6,785,013).

21. Regarding Claim 11, Nagano et al and Ochi et al fail to teach an apparatus, wherein said creation means creates a file with an M-TIFF or PDF format.

Ota et al teach an apparatus, wherein said creation means creates a file with an M-TIFF or PDF format (the TIF process 28 can generate data files in a tag image file format (TIFF)) (col. 8, lines 54-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nagano and Ochi with the teaching of Ota to create a file with M-TIFF or PDF since that is the standard image format by adobe.

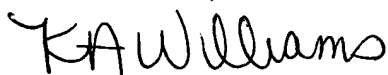
Allowable Subject Matter

22. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (703) 306-3430. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER

Satwant K. Singh
Examiner
Art Unit 2626

sks